

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 7TH FEBRUARY 2007 / 18TH MAGHA 1928

WP(C).No. 25540 of 2004(M)

PETITIONER:

**K.S.R.T.C.REP. BY ITS MANAGING
DIRECTOR, TRANSPORT BHAVAN, EAST FORT,
TRIVANDRUM.**

**BY ADV. SRI.T.RAVIKUMAR
SRI.K.PRABHAKARAN, SC, K.S.R.T.C.**

RESPONDENTS:

- 1. THE REGIONAL TRANSPORT AUTHORITY,
ALAPPUZHA, REP. BY ITS SECRETARY.**
- 2. JOSE GEORGE, PONNEZHATHU JITHIN VILLA,
PATTANAKKAD P.O. CHERTHALA.**

BY GOVERNMENT PLEADER SMT.M.K.PUSHPALATHA

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 07/02/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

W.P.(C) NO.25540/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1- COPY OF THE ALAPPUZHA ERNAKULAM SCHEME DT.18.2.1986.

EXT.P2:- COPY OF THE STAT JUDGMENT DT.14.6.04 IN MVAA NO.389//03.

/TRUE COPY/

tss

K.BALAKRISHNAN NAIR,J.

WP(C)NO.25540 OF 2004-M

Judgment

The second respondent was having a regular permit on the route Aroormukkam-Kanichukulangara. He applied for renewal of that permit. The said application was rejected by the RTA on 27.02.2003 on the ground of objectionable overlapping. So, the 2nd respondent appealed. The said appeal was allowed by the STAT. The STAT found that the overlapping is not objectionable as the 2nd respondent's route does not touch two intermediate points in the same line of travel. The scheme concerned is Alleppey-Ernakulam. The overlapping is objectionable, if only two intermediate points are touched in the same line of travel. The KSRTC does not have a case that the overlapping in fact, touches two intermediate points in the same line of travel. In view of the said position, I find nothing illegal with Ext.P2. Therefore, this Writ Petition, challenging Ext.P2 is dismissed.

07.02.2007

K.BALAKRISHNAN NAIR,JUDGE

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